

A DNR Air Program Inspector is Coming... What Can I Expect?

SBCA-DN2-1200

The Wisconsin Department of Natural Resources (DNR) Air Program is given the statutory authority, in s. 285.19, Wis. Stat., to inspect any business in the state to assess its compliance with the Air Pollution Rules and Regulations. For those who have not experienced one recently, or ever, it may seem like an intimidating process. Doing some work ahead of time and keeping your records up to date periodically can take away some of the anxiety.

We've Had Minimal Contact With DNR's Air Program

So far your facility has not been contacted by the Department of Natural Resources' (DNR's) Air Program. But you do wonder what would be expected of you if DNR does contact you.

The Small Business Clean Air Assistance Program (SBCAAP) in the Department of Commerce was created to help small businesses understand how to comply with the Clean Air Act requirements. The SBCAAP has many fact sheets available on a wide variety of air pollution topics. Contact one of the SBCAAP staff listed on the last page and they can send you information that may help you begin to understand some of the different rules the DNR Air Program will be looking for in their inspection.



Permit or No Permit

Whether or not the DNR's Air Program has issued you any permits will change how you prepare for an inspection. The older the permit(s), the more likely your preparations will be similar to having no permit at all. Older permits had little direction or requirements on how to meet the limits listed there.

If you do not have permits or have very old permits, you may want to talk with the

SBCAAP staff to find out what rules might apply to you. Then you can obtain fact sheets to learn about the different Air Pollution issues affecting your business.

We Were Told We Are Exempt From Air Permits

Any process that was added, moved, changed or expanded after 1979 should have received a construction permit unless it was exempt. If you don't have any permits, but someone has helped you determine that your projects since 1979 were exempt from permits, then be sure to have documentation of that available. You may or may not have received an exemption letter from the DNR Air Program. It's not actually required that you have one. It will be more important that you have the appropriate records to show that you meet any exemptions.

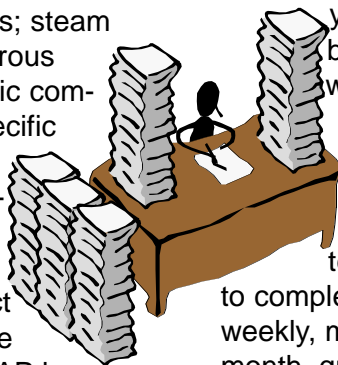
If you have **any** processes that were added, moved, changed or expanded after 1979 and **DO NOT** have any documentation that shows they were exempt, be ready to discuss these processes with the DNR inspector. While these construction activities would be considered a violation of the permit requirements, the inspection should be much less confrontational if you are upfront about such things. You will need to get a construction permit application submitted as soon as possible. Work with your compliance inspector or contacting the SBCAAP to get the application materials.

Other Requirements To Be Aware Of

There are requirements in the Air Rules - in chapters NR 400-499 of the Wisconsin Administrative Code - that apply whether or not you need a permit.

Everyone has to meet opacity limits (how thick the smoke or dust plume is from your stacks; steam doesn't count) and has to minimize odorous emissions. Facilities with volatile organic compound (VOC) emissions might have specific limits they have to meet depending on the type of process and where it's located in the state.

The time to look into the rules that affect facilities with or without permits is before an inspection is scheduled. The SBCAAP has fact sheets on the VOC rules (either RACT rules or NR 424 on general VOCs). You may already comply, so call and get the fact sheets as soon as you can.



conditions from every past construction and operation permit you were issued. You should only need to look over the most recent operation permit to prepare for the inspection. If you have a construction permit for a project that has not been completely constructed yet, that construction permit will not have been rolled into the operation permit yet so would you need to review that one as well.

Look for each of the conditions that require you to do something: monitor, record, keep, maintain, inspect, log, calculate, replace, test, etc. Then look at the frequency required to complete the action: hourly, once each shift, daily, weekly, monthly, within 10 days of the end of each month, quarterly, annually, etc. Also, check the items required under each action: record the following, log the date and initials of person performing the inspection, use the following test methods, etc.

How Should I Prepare For The Inspection?

Start looking over each permit that you have been issued by the DNR Air Program. If you have a number of construction permits, check the most recent ones to see if they superseded any of the past construction permits. There will usually be a condition near the end of Part I of the construction permit that lists any superseded permit numbers. Superseded permits are no longer active because the new permit has incorporated all requirements that are still applicable to your facility. Look over any construction permits that are still active.

If you have received an operation permit (there are three types: a Part 70, a Synthetic Minor Non-part 70, or a Non-part 70), the permit should contain all the

Begin bringing together all documentation that is required by the permit(s). Check to see whether you have been performing each of the actions it required at the frequency stated and have included all items listed.

What If We Are Not Following Our Permit Exactly?

Begin to correct anything you find that does not match a permit conditions. Proactive behavior is always seen in a better light by inspectors. If you show a willingness to keep up your end, the DNR inspector may be more likely to offer compliance assistance than just an enforcement response.



Contacts for More Information or Assistance.

The Small Business Clean Air Assistance Program helps smaller businesses understand and comply with the Clean Air Act regulations. Contact one of the program's Clean Air Specialists for more assistance: Renée Lesjak Bashel at 608/264-6153 or Tom Coogan at 608/267-9214.

For further information on the inspection process contact your DNR Regional or Service Center office shown on the **DNR Contact Fact Sheet**.